



Town of Milford
ZONING BOARD OF ADJUSTMENT

NOTICE OF HEARING

Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0620
Fax (603) 673-2273
www.milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

Notice is hereby given for a Public Hearing to be held on June 7, 2012 at 7:00 PM in the Board of Selectmen's Meeting Room.

The applicant and owner, Milred Two Forty LLC, of Milford Trails Apartments at 90 Powers St, Map 43, Lot 35, in the Residence "B" district, is requesting a Special Exception from Article II, Section 2.03.1:C for an expansion of a non conforming structure by constructing a 497 SF addition to the leasing office/mechanical building.

Case # 2012-11

Dated: May 31, 2012

Kevin Johnson
Kevin Johnson, Chairman ©

Owner/authorized representative must attend hearing; abutters requested to attend.



Town of Milford
Zoning Board of Adjustment

Date Received:	5/9/12
Case #:	2012-11
Application #:	
Payment amount:	\$98.20
Date:	5/9/12

App# 20120727

Application for Special Exception

Name of Applicant: MARK E. GUILMAIN Phone #: [Redacted]

#7960 Email: MARK @ REDOAKAPTS.COM

Address: 289 PINE ST, MANCHESTER, N.H, 03103

Owner: MILRED TWO FORTY LLC
(If same as applicant, write "Same")

Owner's Address: SAME
(If same as applicant, write "Same")

Property Location: 90 POWERS ST, Map 43 Lot 35
(Number and Street)

Description of property: _____

Lot 43-35 has an in ground pool and a small one story wood framed structure. This irregular shape lot with the longest dimensions being 149' and 180' has a total area is 15,491 square feet or .356 acres. The existing one story building has a foot print of 28'-5" x 20'-6" for a total of 583 square feet. The building was a leasing office, and houses the pool filtration system and two bathrooms, one ADA compliant, which are used by the pool guest. The building is being expanded in the rear by 17'-5" x 27'-5" which will add 497 square feet. This addition will allow for and additional leasing office, a conference room, and needed record storage space. The building addition will meet all zoning set back requirements.

This application is not considered acceptable unless all required statements have been made and all sections completed. Additional information may be supplied on separate sheets if necessary.

Fees: \$75.00 per case plus abutter fees, including owner and representative (if applicable).

TOWN OF MILFORD	
RECEIVED	
MAY 09 2012	
PB _____	ZBA _____
Office _____	

Section 1 - APPLICATION FOR SPECIAL EXCEPTION

A Special Exception, as specified in Article II Section 2.03.0 of the Zoning Ordinance, is requested to permit:

Expansion of non-conforming structure

Explain how the proposal meets the Special Exception criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

A. The proposed use is similar to those permitted in the district because:

- Structure has been used as an onsite office by prior owners. Office is allowed as accessory use
- in "B" district.

B. The specific site is an appropriate location for the proposed use because:

- Site was previously used as an office and no additional services are needed, town water, sewer and gas are all present in the structure.

C. The use as developed will not adversely affect the adjacent area because:

Office is minimal in sizes and necessary for the proper operation of the apartment complex.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

- No additional parking or traffic will be added. Site is located at end of public roadway.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

- Existing structure is presently serviced by town water, sewer and natural gas.

Section 2 - ABUTTERS

See attached sheet.

Section 3 - ATTACHMENTS

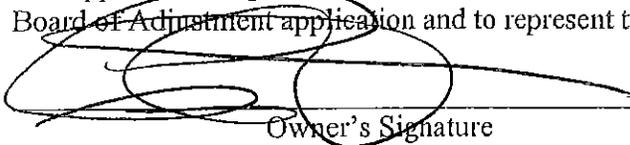
- A. A plan of the property and all buildings, drawn to scale, is required.
- B. A Building Permit Application as needed (to be determined by the building official.)
- C. Additional explanations, justification, abutters' statements, letters, etc.

Section 4 - REPRESENTATION

Owner(s) authorization for the applicant or other agent to represent the owner at the proceedings:

MARK E. GUILMAIN
 Print the name of the person or party representing the owner(s)

The applicant or agent, as stated hereon, has authorization from the property owner to submit this Zoning Board of Adjustment application and to represent the property owner on matters relative to said process.


 Owner's Signature

5/8/12
 Date

Section 5 - SIGNATURES

Signature of Applicant Mark E. Guilmain Date 5-8-12
 Signature of Owner  Date 5-8-12
 Signature of Zoning Official Bill Parker Date 05/21/12
Community Development Director/
 Zoning Administrator

For office use only

Code Enforcement Officer's decision and comments:

Proposed addition will not encroach into rear setback -
will be approximately 20' from rear property line.

ABUTTER LIST

Abutter – Any person whose property is located in New Hampshire and adjoins or is directly across the street, stream, or active railroad property from the land under consideration by the local land use board. The term “abutter” shall also include the owner and the applicant.

Map	Lot	Property Owner	Mailing Address	Town	State	Zip Code
✓ 43	32	Milred Two Forty LLC	289 Pine St.	Manchester	NH	03103
✓ 43	33	Milred Two Forty LLC	289 Pine St.	Manchester	NH	03103
✓ 43	34	Sugden, Thomas W & Glendyse Chaput	49 Mine Cove Rd.	Carlisle	Ma.	01741
✓ 43	36	Powers St. Realty Trust c/o UDO Fritsch	38 Powers St.	Milford	NH	03055
✓ 43	43	Stoney Creek c/o Kokko Realty	480 Nashua St.	Milford	NH	03055
✓ 43	35	MILRED Two Forty LLC	289 Pine St	MANCHESTER	NH	03103

The above abutter listing reflects the most current assessing records and the Milford Zoning Board of Adjustment is released from any responsibility for inaccurate information or incorrect abutter notification.

Mark E. Gutman
Signature of Applicant

5-3-12
Date

43-35
Map & Lot

4 abutters
+75. appl fee
\$98.20



BUILDING PERMIT APPLICATION

Town Hall - One Union Square
Milford, New Hampshire
(603) 249-0620

Received by: _____

TOWN OF MILFORD RECEIVED
MAY 09 2012
PB _____ ZBA _____ Office _____

BUILDING LOCATION

Address 90 POWERS ST.
 Between RTE. 101-A and _____
(Cross street) (Cross street)

Subdivision _____ Map 43 Lot 35 Zone 'B'

APPLICANT (Please print) Business Name: (if applicable) _____

Applicant name: MARK E. GUILMAIN Contact: _____

Daytime phone 234-7932 Applicant's mailing/home address: 289 PINE ST.

Email address: MARK@REDOAKAPTS.COM MANCHESTER, N.H. 03103

RESIDENTIAL	COMMERCIAL
<input type="checkbox"/> Single family detached <input type="checkbox"/> Duplex <input type="checkbox"/> Townhouse (# of units _____) <input type="checkbox"/> Demolition <input type="checkbox"/> Other _____	<input type="checkbox"/> Office/Bank/Professional <input type="checkbox"/> Industrial/Warehouse <input type="checkbox"/> Restaurant <input type="checkbox"/> Multi-family (# of units _____) <input checked="" type="checkbox"/> Other <u>LEASING OFFICE</u>
<input type="checkbox"/> Accessory (ADU) <input type="checkbox"/> Condo <input type="checkbox"/> Mfg/Mobile home <input type="checkbox"/> Relocation	<input type="checkbox"/> Garage <input type="checkbox"/> School <input type="checkbox"/> Store/Retail <input type="checkbox"/> Demolition
<input type="checkbox"/> New dwelling <input type="checkbox"/> Addition <input type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Foundation only <input type="checkbox"/> Other _____ <input type="checkbox"/> Replacement windows <input type="checkbox"/> Conversion of +/- dwelling units (# of units _____)	<input type="checkbox"/> New building <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Foundation only <input type="checkbox"/> Other _____ <input type="checkbox"/> Renovation (no structural changes) <input type="checkbox"/> Conversion from residential to commercial
<input type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Garage <input type="checkbox"/> Carport <input type="checkbox"/> Fence <input type="checkbox"/> Porch	<input type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Interior Demo <input type="checkbox"/> Tenant change <input type="checkbox"/> Tenant fit-up

General description of work & proposed use: Include location and specify size and dimensions of building, room, shed, pool, etc. or addition. If use of existing building is being changed, enter proposed use.

The existing one story building on this lot has a foot print of 28'-5" x 20'-6" for a total of 583 square feet. The structure, in addition to a leasing office, has a mechanical room for the pool filtration system and two bathrooms, one ADA compliant, which are used by the pool guest. The building is being expanded in the rear by 17'-5" x 27'-5" for a total addition of 497 square feet. This addition will allow for and additional office, conference room, and record storage space. The building addition will meet all zoning set back requirements.

Cost of project: \$ 8,000 - Estimated completion date: 9/1/12

Building specifics:
 Existing building sq footage: 583 New/renovated/added sq footage: 477 Total SF: 1060

Residential	Commercial/Industrial
# of stories _____ # of bathrooms _____ # of bedrooms _____	# of Stories <u>1</u>
<input type="checkbox"/> Wood frame <input type="checkbox"/> Steel frame <input type="checkbox"/> Masonry frame	<input checked="" type="checkbox"/> Wood frame <input type="checkbox"/> Steel frame <input type="checkbox"/> Masonry frame

<input checked="" type="checkbox"/> Public or private company <input type="checkbox"/> Private well	<input checked="" type="checkbox"/> Septic disposal <input type="checkbox"/> Public sewers <input type="checkbox"/> Private septic tank, etc.	Heating / AC Heat type <u>FHW BY GAS</u> Central A/C system _____
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**Department of Community
Development
Building Safety and Health
Town of Milford, NH**

Memo

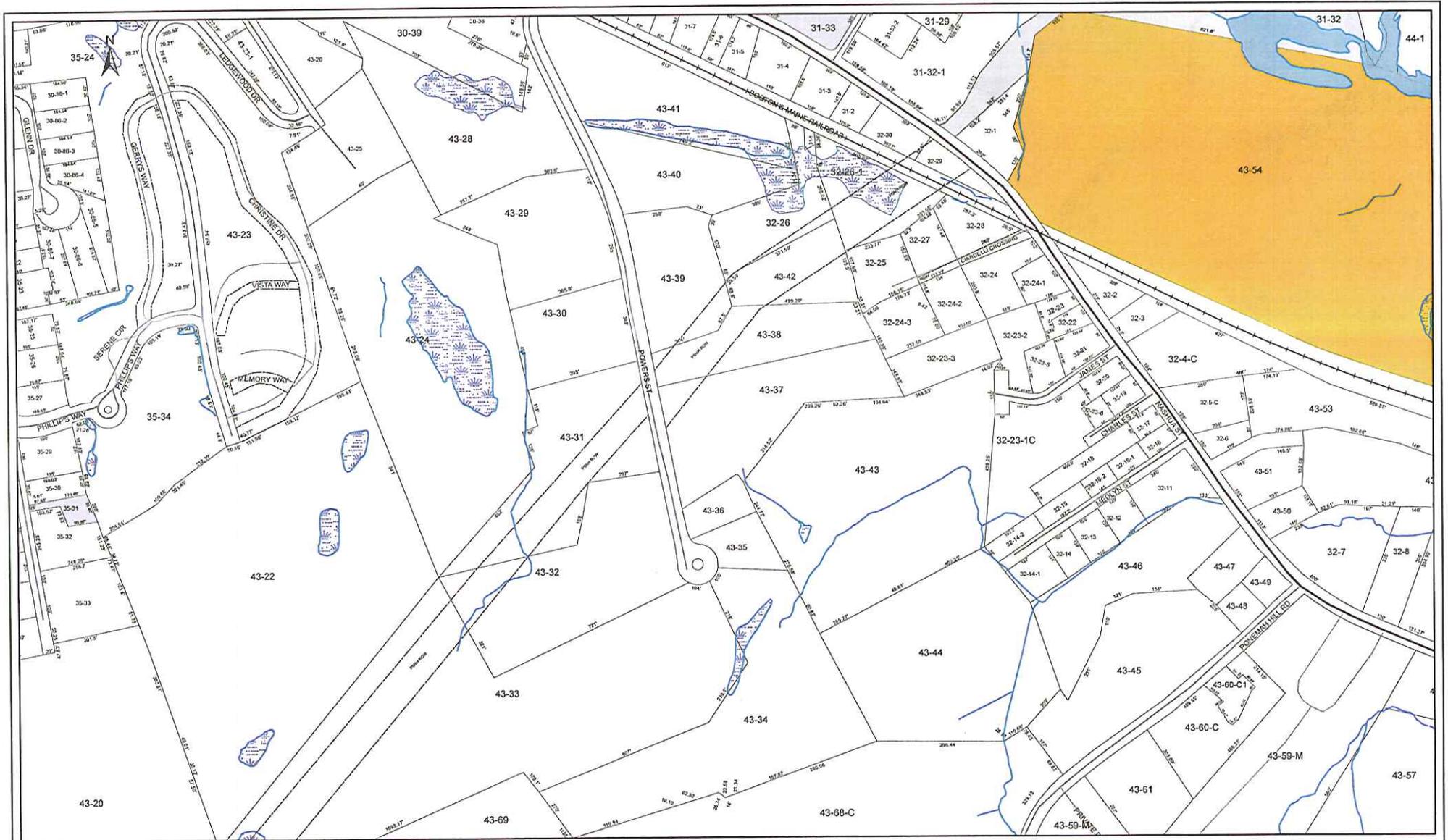
To: Milford Zoning Board of Adjustment
From: William McKinney, Code Enforcement
CC:
Date: May 21, 2012
Re: Special Exception; 90 Powers Street, Map 43, Lot 35

Board Members,

Before you is the request by the current owners of Milford Trails Apartments (formerly Woodland Heights Apartments) off Powers Street for a Special Exception to allow for the expansion of an Existing Non-Conforming Structure in accordance with Town of Milford Zoning Ordinance Article II; 2.03.0; 2.03.1 C

Although the proposed 497 square foot addition will be constructed outside of the side and rear setbacks it is planned to be attached to the existing 583 square foot structure that is within the 15 foot side set back at 14.4 feet and as such a non-conforming structure.

William McKinney
Commercial Code Enforcement/
Health Officer



1 inch = 300 feet



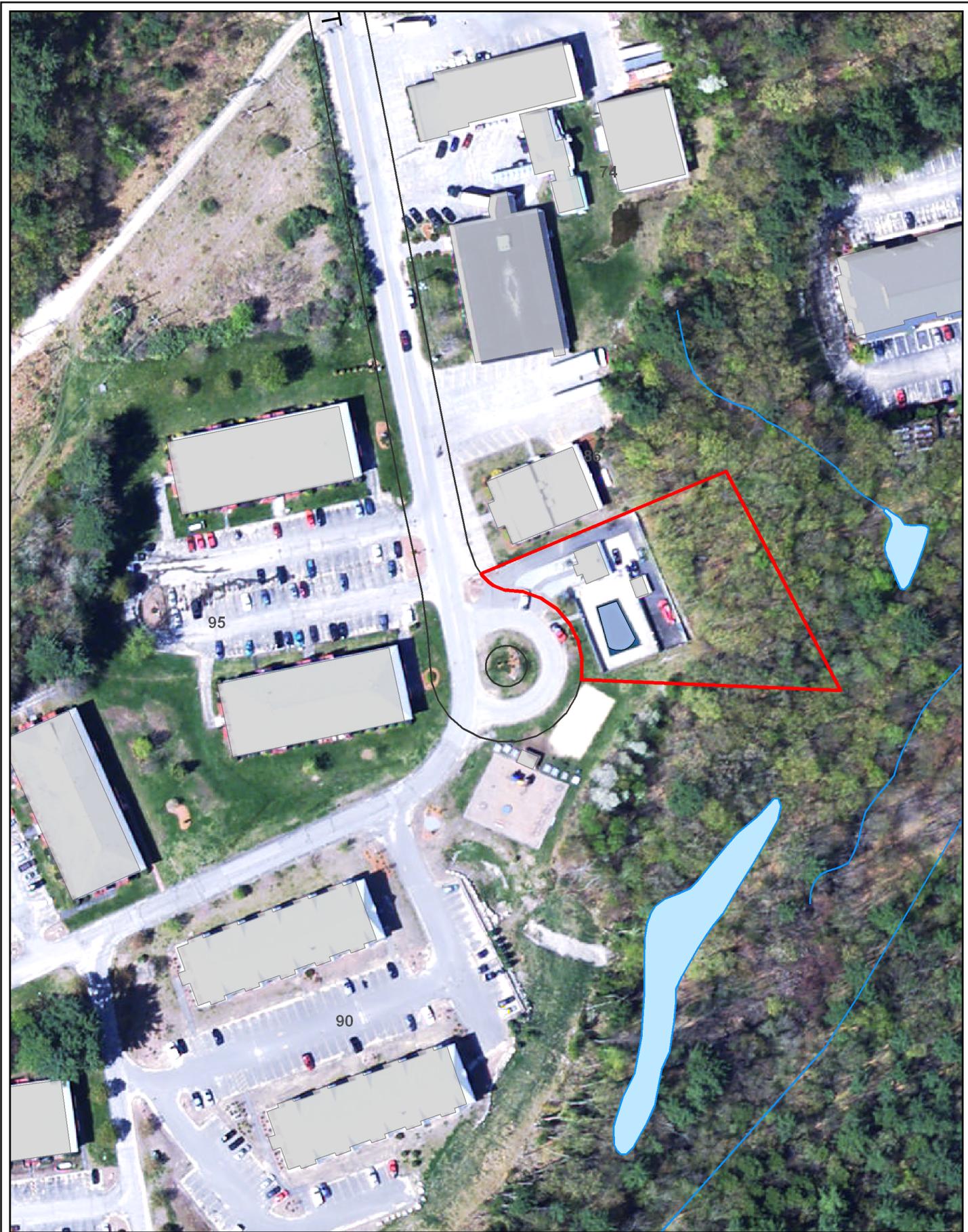
This document has been prepared to show approximate lot location only. Information shown is not to be used for deed descriptions.

MILFORD, NH

The Community Development Department maintains a continuing program to identify and correct errors. The Department makes no claims to the validity or reliability, or to any implied uses of this representation.

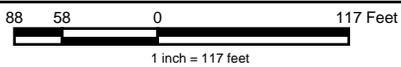
DATE:
April 1, 2011

F6
30,31,32,43



Milford, NH

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90 Powers St M43 L35

ZBA case 2012-11